

BILL NO. **90-32**

(AS AMENDED)

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 90-32

Introduced by Council President Wilson
at the request of the County Executive

Legislative Day No. 90-20 Date June 12, 1990

AN ACT to add new Subsection 4.28h, Utility Lines, to Section IV heading, Requirements for the Subdivision of Land and to repeal Subsection 6.01(d), and repeal and reenact with amendments Subsection 6.04 Required Documentation, both of Section VI, heading, The Final Subdivision Plat, all of the Subdivision Regulations for Harford County, as amended, providing for the requirements of roads, sanitary and other improvements ~~for the control of publication developments in the County.~~

By the Council, June 12, 1990

Introduced, read first time, ordered posted and public hearing scheduled
on: July 10, 1990
at: 6:30 P.M.

By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on July 10, 1990, and concluded on, July 17, 1990

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

BILL NO. **90-32**
(AS AMENDED)

1 Section 1. Be It Enacted by the County Council of Harford
2 County, Maryland that new Section 4.28h, Utility Lines, be and it
3 is hereby added to Section IV, heading Requirements for the
4 Subdivision of Land and, that subsection 6.01(d) of Section VI,
5 heading the Final Subdivision Plat, be and it is hereby repealed
6 and that Subsection 6.04, heading Required Documentation of Section
7 VI, heading The Final Subdivision Plat, all of the subdivision
8 regulations for Harford County as amended be and are hereby
9 repealed and re-enacted with amendments, all to read as follows:

10 4.28 MINIMUM REQUIREMENTS.

11 H. UTILITY LINES: EXTENSIONS OF DISTRIBUTION LINE
12 NECESSARY TO PROVIDE ELECTRIC AND TELEPHONE SERVICE TO ANY
13 RESIDENTIAL, COMMERCIAL OR INDUSTRIAL SUBDIVISION SHALL BE SUBJECT
14 TO THE UNDERGROUND RULES OF THE PUBLIC SERVICE COMMISSION AND
15 EXISTING TARIFFS.

16 6.01[D. It shall be accompanied by a signed deed conveying
17 to the county any road improvement right of way along an existing
18 county road.]

19
20 [6.04 It shall include open space for the following
21 signatories and dates:

- 22 a. Certificate of Land Surveyor.
23 b. Approval of the County Health Officer.
24 c. Approval of the Commission.

1 d. Approval by the authorized Municipal Officials,
2 if the Subdivision is within one mile of any incorporated
3 municipality.]

4 6.04 REQUIRED DOCUMENTATION. AT THE TIME OF FINAL PLAT
5 SUBMITTAL TO THE DEPARTMENT OF PLANNING AND ZONING, THE FOLLOWING
6 DOCUMENTS, WHERE APPLICABLE, SHALL BE SUBMITTED FOR REVIEW AND
7 APPROVAL BY HARFORD COUNTY.

8 A. FOR ALL SUBDIVISIONS, CHARGE AND DEPOSITS AGREEMENTS
9 PROVIDING FOR TELEPHONE, ELECTRIC AND GAS SERVICE, SHALL BE
10 EXECUTED BY THE SUBDIVIDER IN ACCORDANCE WITH THE RESPECTIVE PUBLIC
11 SERVICE COMPANY'S PROCEDURES. THESE AGREEMENTS SHALL PROVIDE THAT
12 THE SUBDIVIDER IS RESPONSIBLE FOR ALL APPLICABLE CHARGES AND
13 DEPOSITS IN ACCORDANCE WITH THE APPLICABLE PUBLIC SERVICE
14 COMMISSION RULES AND COMPANY SERVICE TARIFFS, EVEN THOUGH BUILDING
15 LOTS OF THE SAID SUBDIVISION MAY BE SOLD, DEVELOPED OR IMPROVED BY
16 THIRD PARTIES. THE POSTING OF ALL REQUIRED DEPOSITS AND CHARGES
17 FOR UNDERGROUNDING TELEPHONE, GAS AND ELECTRIC SERVICES SHALL OCCUR
18 PRIOR TO THE EARLIER OF (1) THE CONVEYANCE OF ANY LOT OR LOTS IN
19 THE SUBDIVISION OR (2) THE AWARDED OF ANY CONTRACT FOR THE
20 CONSTRUCTION OF REQUIRED PUBLIC OR PRIVATE IMPROVEMENTS WITHIN THE
21 SUBDIVISION. THE EXECUTED UNDERGROUND GAS, ELECTRIC, AND TELEPHONE
22 AGREEMENTS SHALL BE DELIVERED BY THE SUBDIVIDER TO THE APPROPRIATE
23 PUBLIC SERVICE COMPANY PRIOR TO FINAL PLAT APPROVAL.

24 B. FOR ALL SUBDIVISIONS, OVERHEAD/UNDERGROUND RIGHT-
25 OF-WAY AGREEMENTS SHALL BE EXECUTED BY THE SUBDIVIDER, GRANTING
26 PUBLIC SERVICE COMPANIES THE RIGHT-OF-WAY ONTO THE SUBDIVISION

FOR THE PURPOSES OF OR RELATED TO PROVIDING OR MAINTAINING
TELEPHONE, GAS, OR ELECTRIC SERVICE, EVEN THOUGH BUILDING LOTS OF
THE SAID SUBDIVISION MAY BE SOLD, DEVELOPED OR IMPROVED BY THIRD
PARTIES. THE EXECUTED OVERHEAD/UNDERGROUND RIGHT OF WAY AGREEMENTS
SHALL BE EXECUTED AND DELIVERED BY THE SUBDIVIDER TO THE
APPROPRIATE PUBLIC SERVICE COMPANY PRIOR TO FINAL PLAT APPROVAL.

C. FOR SUBDIVISIONS HAVING FRONTAGE ALONG AN EXISTING
COUNTY ROAD, A SIGNED DEED CONVEYING TO HARFORD COUNTY ~~ALL~~ THE ROAD
IMPROVEMENT RIGHT-OF-WAY ALONG THE EXISTING COUNTY ROAD FOR EACH
LOT SHOWN ON THE FINAL PLAT SHALL BE SUBMITTED FOR RECORDATION.

D. FOR SUBDIVISIONS ENCOMPASSING COMMON OPEN SPACE, A
COPY OF THE PROPOSED HOMEOWNERS' ASSOCIATION ~~DOCUMENTS~~ ARTICLES OF
INCORPORATION, BYLAWS, BUDGET, DECLARATION OF COVENANTS AND
RESTRICTIONS, AND DECLARATION OF COVENANTS FOR STORMWATER
MANAGEMENT FACILITIES SHALL BE SUBMITTED.

Section 2. And Be It Further Enacted that this Act shall
take effect sixty (60) calendar days from the date it becomes law.
EFFECTIVE: October 12, 1990

BY THE COUNCIL

BILL NO. 90-32 (As Amended)

Read the third time.

Passed: LSD 90-25 (August 7, 1990)

Failed of Passage: _____

By Order

Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive
for his approval this 8th day of August, 1990
at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

COUNTY EXECUTIVE

APPROVED:

Date 8-13-90

BY THE COUNCIL

This Bill, (90-32 As Amended), having been approved by the
Executive and returned to the Council, becomes law on August 13, 1990.

Doris Poulsen, Secretary

EFFECTIVE DATE: October 12, 1990